

# Uses and Disclosures of Protected Health Information for Education and Training

## RATIONALE

Clinical education and training activities for students of Palmer College of Chiropractic Health Care Component (PCC HCC) and Palmer College of Chiropractic Affiliated Covered Entities (PCC ACE) are fundamental to its mission. In fulfilling the mission, the College uses Protected Health Information (PHI) for clinical education activities only as permitted by the Health Insurance Portability and Accountability Act (HIPAA).

The PCC HCC and PCC ACE can use PHI, without a patient's written authorization, to teach chiropractic students as outlined in the Uses and Disclosures of Protected Health Information for Education and Training policy (Policy).

## PURPOSE

This Policy identifies and establishes the College's expectations regarding when PHI may be used and disclosed for education and training.

## SCOPE

This Policy applies to the entire College community, which is defined as including the Davenport campus (Palmer College Foundation, d/b/a Palmer College of Chiropractic), West campus (Palmer College of Chiropractic West) and Florida campus (Palmer College Foundation, Inc., d/b/a Palmer College of Chiropractic Florida) and any other person(s), groups, or organizations affiliated with any Palmer campus.

## DEFINITIONS

For the purposes of this Policy, the following terms shall have the meanings specified below:

- > The term **“College community”** refers to all students, faculty, staff (including administration), and any other person(s), groups, or organizations affiliated with any Palmer campus.
- > The term **“disclosure”** refers to the release, transfer, provision of access to, or divulging in any manner of PHI by an individual within the HCC or ACE with a person or entity outside the HCC or ACE.

- > The term “**health care operations**” refers to business and administrative activities, including:
  1. Conducting quality assessment and improvement activities;
  2. Reviewing the competence or qualifications of health care professionals;
  3. Conducting training programs;
  4. Accreditation;
  5. Credentialing;
  6. Conducting or arranging for medical review, legal services and auditing functions;
  7. Business planning and development;
  8. Business management and general administrative activities;
  9. Conducting clinical research; and/or
  10. Marketing and fundraising activities.
  
- > The term “**minimum necessary**” refers to using, disclosing or requesting the minimum amount of PHI as necessary to accomplish the intended use or disclosure.
  
- > The term “**Palmer College of Chiropractic Affiliated Covered Entity**” (PCC ACE) refers to The Palmer College of Chiropractic Affiliated Entity (PCC ACE) consists of the following; **Palmer College Foundation** d/b/a Palmer College of Chiropractic, **Palmer College Foundation, Inc.** d/b/a Palmer College of Chiropractic Florida and **Palmer College of Chiropractic West.** Palmer College Foundation and Palmer College Foundation, Inc. are one legal entity. Palmer College of Chiropractic West is a separate legal entity. PCC ACE is a hybrid entity. The combination of units within PCC ACE designated as part of the Palmer College of Chiropractic Health Care Component (PCC HCC) comprise the Palmer College of Chiropractic Affiliated Covered Entity (PCC ACE).
  
- > The term “**Palmer College of Chiropractic Health Care Component**” (PCC HCC) refers to those health care units of Palmer College Foundation and Palmer College of Chiropractic West that have been designated as part of its health care component. For more information, refer to the Institutional Policy, Designation of the Palmer College of Chiropractic Health Care Component.

- > The term “**protected health information**” (PHI) refers to information, including demographic information, which relates to the individual’s past, present or future physical or mental health or condition; the provision of health care to the individual; or the past, present or future payment for the provision of health care to the individual, and that identifies the individual or for which there is a reasonable basis to believe can be used to identify the individual. PHI includes many common identifiers (e.g. name, address, birthdate, Social Security number) when such can be associated with the health information listed above. PHI does not include student records held by educational institutions or employment records held by employers. However, this information is still treated confidentially under other applicable laws.
- > The term “**use**” refers to the sharing, employment, application, utilization, examination, or analysis of PHI by an individual within the PCC HCC or the PCC ACE.
- > The term “**workforce**” refers to employees, volunteers, trainees, and other persons whose conduct, in the performance of work for a covered entity, is under the direct control of such entity, whether or not they are paid by the covered entity.

## **ADMINISTRATIVE RULES**

Uses and disclosures of PHI, as described below, can be made for the education and training of students, within the PCC HCC and PCC ACE without obtaining patient authorization or providing the patient with an opportunity to agree or object to the use or disclosure.

### ***Internal Uses***

1. The use of PHI must stay within the PCC HCC or the PCC ACE only;
2. The PHI cannot be shared outside the PCC HCC or the PCC ACE (including to students, faculty and staff of PCC not within the PCC HCC) at professional meetings, conferences and lectures, or for courses within schools or colleges that are not part of the PCC HCC; and/or
3. The amount of PHI used must be the minimum amount necessary to conduct the training.

### **EXAMPLES**

1. In an on-campus lecture offered within the chiropractic curriculum, the professor, a faculty member within the Clinic Department, uses a radiologic image when

discussing a spinal curvature. The professor should remove the patient name, record number, dates and any other information that could lead to the identification of the patient that is not necessary to the training from the image and from any other materials used during the training.

2. During a case review presentation by a faculty member about a patient's tumor, only information relevant to the case should be part of the discussion. It would not be necessary or appropriate to include the patient's name and record number. In addition, participants in the presentations should not talk about any other identifying characteristics (e.g. the patient's job, job title, employer name/location, residence/address, community associations).

### ***Disclosures***

For educational purposes outside the PCC HCC or PCC ACE, employees and students may not disclose PHI for case studies, articles, industry conferences/lectures, posters, fliers or any other material or media unless:

1. Patient authorization for the disclosure is obtained using Authorization for Disclosure of Health Information or Authorization for Disclosure of Identifiable Medical Information for Publication, whichever is more applicable; or
2. The PHI is de-identified as described in Institutional Policy, De-Identification of Protected Health Information under the HIPAA Privacy Rule.

### ***Minimum Necessary***

In circumstances where a patient is to be photographed or videotaped specifically for educational or training purposes, the faculty member will seek the patient's authorization using a [Consent for Videotaping and Photography](#) form. Only the minimum amount of PHI should be recorded.

### ***Documentation Requirements***

The PCC HCC must document and maintain all patient/client authorizations for a period of at least six (6) years, from the date of its creation or the date when it last was in effect, whichever is later.

## **STANDARD INSTITUTIONAL POLICY PROVISIONS**

Institutional policies are supplemented by provisions that are applicable to all institutional policies. It is the responsibility of all employees and students to know and comply with these standards.

- > [Standard Provisions Applicable to All Institutional Policies](#)

## **Additional Information**

### **ASSOCIATED POLICIES, PROCESSES AND/OR PROCEDURES**

This Policy is supplemented below. It is the responsibility of all employees and students to know and comply with policies and procedures as supplemented.

### **POLICIES**

- > [Designation of the Palmer College of Chiropractic Health Care Component](#)
- > [Minimum Necessary Standard](#)
- > [Uses and Disclosures of Protected Health Information That Require Patient Authorization \(Clinical Non-Research and Clinical Research\)](#)

### **PROCESSES AND/OR PROCEDURES**

- > N/A

### **FORMS/INSTRUCTIONS**

- > [Authorization for Disclosure of Health Information](#)
- > [Authorization for Disclosure of Identifiable Medical Information for Publication](#)
- > [Consent for Videotaping and Photography](#)

### **OTHER RELATED INFORMATION**

- > 45 CFR 164.501 (HIPAA Privacy Rule)

- > 45 CFR 164.502 (HIPAA Privacy Rule)
- > 45 CFR 164.506 (HIPAA Privacy Rule)
- > 45 CFR 164.512 (HIPAA Privacy Rule)

## CONTACTS

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